

APPROVED

TOWN OF WESTFORD

BOARD OF SELECTMEN

MINUTES

DATE: January 27, 2004

TIME: 7:30 P.M.

PLACE: J.V. Fletcher Library

PRESENT: Christopher Romeo, Robert Jefferies, Allan Loiselle,
James Silva

ABSENT: Dini Healy-Coffin

OTHERS

PRESENT: Steve Ledoux-Town Manager, Audience Members

Open Forum

Loiselle expressed condolences on the recent passing of Harold Noble a long-time Westford resident who dedicated countless hours volunteering in the community.

Public Hearing – Petition from Verizon New England for Brookside Road Placement of Underground Conduit

Kathy Fraser, Right-of-Way Manager for Verizon was present seeking permission to place three (3) feet of underground cable and conduit to service the Brookside Mill project. Jim Arsenault, Town Engineer, reported that the Highway Department has not received the plans showing the extent of the work. Arsenault requested additional time for review of the plans by the Highway and Engineering Departments. Fraser stated that she faxed the plans to the Highway Department in October, 2003. There was no input from the floor.

It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to close the public hearing.

It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve the petition subject to approval by the Highway Superintendent and the Town Engineer.

Change of Manager, 99 Restaurant of Boston, LLC, Littleton Road

This matter was continued from the meeting of January 13, 2004 due to a question on the CORI report for Martin MacDonald regarding two District Court appearances in 1998 relative to operating after suspended license and compulsory insurance violation. Romeo stated that the Board wanted to know what happened and whether it would have an impact on MacDonald's ability to do the managerial job. Marty MacDonald was present and stated that he went to court for driving an unregistered vehicle and on a landlord dispute. MacDonald stated that he has never had his license suspended and asked for an opportunity to resolve the matter and expunge his record.

It was moved by Loiselle, seconded by Jefferies, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve Martin MacDonald as the new manager for the 99 Restaurant.

Board to Consider Adopting the Name of "Veterans' Memorial Complex" for the Stony Brook Complex

Paul Murray, Veterans' Agent, recalled that a resolution was offered and accepted at the Fall Town Meeting to rename the Stony Brook Complex to the "Veterans' Memorial Complex" to honor all Westford veterans, past, present and future. Murray asked the Board to adopt the new name, Veterans' Memorial Complex, which encompasses the entire parcel. The Stony Brook School name will remain unchanged.

It was moved by Jefferies, seconded by Silva, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), that in line with the Town's wishes the Board rename the Stony Brook Complex to the Veterans' Memorial Complex.

Presentation of Preliminary Findings of the Commission for Efficient Town Government (CETG)

Nancy Rosinski, Chairman of the Commission for Efficient Town Government, presented a draft of the Preliminary Findings of the Commission for Efficient Town Government dated December, 2003. Rosinski stated that the Commission worked to generate ideas on the various ways to close the forecasted budget deficit. Rosinski asked the Board to encourage the department heads to implement the suggestions to save money. A final report will be distributed in June with prioritized ideas and recommendations for the future. At that time the Commission will close. Paul Murray, 12 Wilshire Avenue, asked if the Commission members spoke to Police Officers, Firefighters or Highway workers rather than just department heads. Rosinski stated that she spoke to department heads. Jefferies (Commission member) stated that he spoke to the Highway Superintendent and Highway workers. Jefferies felt that

the Commission had a good understanding of the costs. Murray pointed out that what departments need and what they request is not always evident at budget time. Rosinski stated that the report will be available at the library for the public. Jefferies asked that

the report be distributed to the department heads before it goes public. Rosinski stated that she would coordinate with Ledoux on distributing the report.

Board to Review Evaluation Report of Brookside Mill Dam Report

Richard Barrett, Highway Superintendent and Jim Arsenault, Town Engineer, were present. Arsenault summarized the "Evaluation of Stony Brook Dam at Brookside Road" prepared by Earth Tech dated October 17, 2003. The evaluation report identified those aspects of the dam which require rehabilitation or maintenance, including the adequacy of the spillway to safely pass the 100-year flow event. Arsenault outlined various recommendations and associated costs as addressed in his memorandum dated January 20, 2004. Barrett reported that Mass Highway has indicated that there is a structural failure of the bridge decking and recommended installing a safety barrier (guard rails) on the bridge to give it more stability and a deck over. Barrett recommended using the Westford Highway Department to complete the bridge work which would be less costly to the Town. Barrett suggested using Chapter 90 money for the bridge work. Barrett noted that Mass Highway will be financing several other bridges in Westford but if the Town waits for Mass Highway for the Brookside Bridge, that bridge will not be repaired until there is a structural failure. Barrett stated that Mass Highway has a very long backlog of bridge repairs. Ledoux suggested that money be put into the capital budget or added to the bonding article to meet any shortfall. Jefferies wanted the bridge and the guardrails to be aesthetically pleasing. Arsenault offered to bring the design back to the Board for review. Barrett suggested beginning the rehab of the bridge in July. Barrett will contact the consultant for Mass Highway on Wednesday, January 28, 2004 to get a cost estimate. Romeo asked Ledoux to contact Attorney Suzanne Poitras, counsel for Brookside Mill, LLC, to confirm that the developer will be paying for the repairs of the damage that he did to the gate on the dam. The Board agreed with the recommendations of Barrett and Arsenault regarding completing the work in-house as was outlined to the Board.

Licenses, Permits, Applications

One Day Beer & Wine License – School Fundraiser, First Parish Church United, Friday, May 7, 2004, 7:00 – 11:00 PM – It was moved by Loiselle, seconded by Silva, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve.

Entertainment License – Benefit Concert – Westford Academy – Music and Foreign Language Departments of Westford Academy on June 12, 2004 – Deferred from the January 13th meeting for additional information. Ledoux reported that he invited Anthony DeGennaro, Concert Coordinator, to the meeting. DeGennaro did not appear at the meeting. Continued to February 10, 2004.

Request for Banner over Main Street and Use of Town Common for Westford Road Race, Sunday, May 2, 2004 – It was moved by Loiselle,

seconded by Silva, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve. Ledoux to coordinate any conflicts with other banners.

Appointment: Commission for Efficient Town Government (CETG) – Jefferies believed that the appointments to this Commission should be made by Ledoux. **It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to appoint Lauri Carrick to the CETG.** Jefferies made the motion with the understanding that Ledoux can make the appointment if it is appropriate to do so.

Appointments: Stony Brook Master Plan Subcommittee – Jefferies noted that Robert Smith has moved out of town. **It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to appoint Andrea Peraner-Sweet, Paul Alphen, Chip Barrett, Bill Coakley, Dini Healy-Coffin, Jean Drula, Sandra Habe, Patti Mason, Christine Pude, Kirk Ware, Warren Sweetser, Leslie Thomas, Robert Welch, Eric Fahle, and Steve Ledoux.**

Appointments: Election Officers – A list of election officers was submitted by the Town Clerk dated January 21, 2004. **It was moved by Loiselle, seconded by Silva, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to appoint the list of election officers dated January 21, 2004.**

Franklin Property

No report at this time.

Brookside Mill

Ledoux reported that he received a second amendment to the Right of Reverter from Attorney Suzanne Poitras. Ledoux recommended that Town Counsel review the second amendment before the Board takes any action. Ledoux also reported that Poitras provided the cost of the grant application in the amount of \$10,445.33. Romeo asked Ledoux to request from Poitras what the contribution will be from the developer regarding the application costs.

Minutes

It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve the minutes of January 9, 2004 (regular session).

It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve the minutes of January 9, 2004 (executive session) but NOT release to the public.

Correspondence

Romeo read the list of correspondence.

- 1.15 Memo from Town of Groton re: Nashoba Valley Technical High School 05 Budget Request. Ledoux reported that he would be attending a meeting on February 6th at the Chelmsford Town Hall with other Town Managers associated with Nashoba Tech. This memo will be a topic for discussion. Ledoux to report back to the Board.
- 1.17 Letter of resignation from Bill Collins from Senior Center Wellness Center. Romeo thanked Collins for his service.
- 1.20 Westford Board of Health, Food Code Informational Packet and Seminar, January 27, 2004. Ledoux to invite the Board of Health to a future meeting to discuss this matter.

Executive Session

The Board voted at 9:00 p.m. to go into Executive Session for the purpose of discussing real estate negotiations regarding East Boston Camps and IAFF negotiations. Nancy Rosinski, Westford Land Preservation Foundation to be present at the real estate negotiations discussion and Richard Rochon, Fire Chief, to be present at the IAFF negotiations discussion. A polling of the Board: Romeo-yes; Jefferies-yes; Loiselle-yes; Silva-yes; Healy-Coffin-absent. The Board to reconvene to regular session for the purpose of adjourning only.

Open Items

- 1/27-1 Ledoux to contact Atty. Poitras re: damage to gate at Brookside Dam – confirm that developer will be paying for repairs.
- 1/27-2 Ledoux to reschedule Entertainment License discussion re: benefit concert – Westford Academy scheduled for June 12th.
- 1/27-3 Ledoux to contact Atty. Poitras re: what contribution will developer make regarding application costs for Brookside Mill.
- 1/27-4 Ledoux to invite Board of Health to meeting to discuss Food Code Informational Packet and Seminar (Corr. 1.20).

Reconvene to Regular Session and Adjournment

It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to reconvene to regular session at 9:47 p.m. and adjourn the meeting.

Steve Ledoux, Town Manager

Christopher Romeo, Chairman

Submitted by Beth Kinney, Recording Secretary